

CUSTODY, NRESTRAINT, TERMINATED,

U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE #: 3:25-mj-00115-1

Case title: USA v. Amaya

Date Filed: 04/28/2025

Other court case number: 25-CR-879 KG District of New Mexico

Date Terminated: 04/28/2025

Assigned to: Unassigned

Defendant (1)**Heriberto Salazar Amaya**

TERMINATED: 04/28/2025

also known as

HSA

TERMINATED: 04/28/2025

also known as

El Paisa

TERMINATED: 04/28/2025

also known as

Viejo

TERMINATED: 04/28/2025

also known as

Heriberto Salazar-Torres

TERMINATED: 04/28/2025

also known as

Gabriel Gomez-Torres

TERMINATED: 04/28/2025

also known as

Pedro Gomez-Diaz

TERMINATED: 04/28/2025

represented by **Mark Patrick Ahlemeyer**
 Federal Public Defender For The District
 Of Oregon
 101 SW Main Street
 Ste 1700
 Portland, OR 97204
 503-326-2123
 Fax: 503-326-5524
 Email: mark_ahlemeyer@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
 Community Defender Appointment*

Pending Counts**Disposition**

None

Highest Offense Level (Opening)

None

Terminated Counts**Disposition**

None

Highest Offense Level (Terminated)

None

Complaints**Disposition**

None

Plaintiff

USA

represented by **Julia E. Jarrett**
 U.S. Attorney's Office
 1000 SW Third Ave, Suite 600
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Email All Attorneys

Date Filed	#	Docket Text
04/28/2025	<u>1</u>	Documents Received From Other Court as to Heriberto Salazar Amaya from District of New Mexico Case No: 25-CR-879 KG (sb) (Entered: 04/28/2025)
04/28/2025	<u>2</u>	(DOCUMENT FILED UNDER SEAL) Arrest Warrant Received From Other Court as to Heriberto Salazar Amaya from District of New Mexico Case No: 25-CR-879 KG (Attachments: # <u>1</u> Attachment USMS Intake Form) (sb) (Entered: 04/28/2025)
04/28/2025	<u>3</u>	Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another. Proceedings held before Magistrate Judge Stacie F. Beckerman as to Heriberto Salazar Amaya on 4/28/2025. ORDER appointing counsel for Heriberto Salazar Amaya: Mark Ahlemeyer for proceedings in the District of Oregon. Defendant advised of rights, waived reading of the charges, and proceeds as named. Defendant waived an identity hearing, production of the judgment, warrant, and warrant application, and a detention hearing in the District of Oregon. The Court accepts the waiver and finds it knowing and voluntary. (Formal waiver to follow.) Defendant committed to the District of New Mexico and is to be transported to that district in the custody of the U.S. Marshals Service. (Formal commitment order to follow.) Other Court Information: District of New Mexico case No. 1:25-CR-00879-JB, USA v. Heriberto Salazar Amaya. Counsel Present for the Government: Peter D. Sax. Counsel Present for Defendant: Mark Ahlemeyer. Restraint Order: NR. (Court Reporter Ryan White) (Interpreter for Defendant Present: Steven Muzik) (Spanish) (Oath on file with the court.) (gw) (Entered: 04/28/2025)
04/28/2025	<u>4</u>	Waiver of Rule 5 & 5.1 Hearings by Heriberto Salazar Amaya (sb) (Entered: 04/29/2025)
04/28/2025	<u>5</u>	Commitment to Another District as to Heriberto Salazar Amaya. Defendant committed to District of New Mexico, Case Number 25-CR-879 KG, and Notice to District of New Mexico of Criminal Case Transfer as to Heriberto Salazar Amaya. Docket sheet and documents attached. (Receiving Court: Request certified copies of any documents by e-mailing CrimPDX@ord.uscourts.gov. If a different email address for future transfers should be designated, send a request to InterDistrictTransfer_TXND@txnd.uscourts.gov.) (One certified copy delivered to U.S. Marshal by e-mail on 4/29/2025.) (Attachments: # <u>1</u> Appendix) (sb) (Entered: 04/29/2025)

IN THE UNITED STATES DISTRICT COURT

APR 23 2025

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,
vs.**HERIBERTO SALAZAR AMAYA, a.k.a.
“HSA,” “Juan,” “El Paisa,” “Viejo,”
“Heriberto Salazar-Torres,” “Gabriel
Gomez-Torres,” and “Pedro Gomez-Diaz,”**

Defendants.

) CRIMINAL NO. 25-879 KC

) Count 1: 21 U.S.C. § 846: Conspiracy;

) Counts 2, 3, and 9: 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi): Distribution of 400 Grams and More of Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide); 18 U.S.C. § 2: Aiding and Abetting;

) Counts 4 and 6: 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi): Distribution of 400 Grams and More of Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide);

) Counts 5 and 7: 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi): Possession with Intent to Distribute 400 Grams and More of Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide);

) Count 8: 18 U.S.C. § 924(c)(1)(A)(i): Possessing a Firearm in Furtherance of a Drug Trafficking Crime;

) Count 10: 8 U.S.C. §§ 1326(a) and (b): Reentry of a Removed Alien;

) Count 11: 8 U.S.C. § 1324a(a)(1)(A): Unlawful Employment of Illegal Alien; and

) Count 12: 8 U.S.C. § 1324(a)(1)(A)(v)(I): Conspiracy to Harbor Illegal Aliens.

I N D I C T M E N T

The Grand Jury charges:

Count 1

From on or about July 1, 2024, and continuing to on or about April 23, 2025, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendants, **HERIBERTO SALAZAR AMAYA**, [REDACTED]

[REDACTED] unlawfully, knowingly and intentionally combined, conspired, confederated, agreed, and acted interdependently with each other and with other persons whose names are known and unknown to the Grand Jury to commit an offense defined in 21 U.S.C. § 841(a)(1), specifically, distribution of a controlled substance.

Controlled Substances Involved in the Conspiracy

With respect to **HERIBERTO SALAZAR AMAYA**, [REDACTED]

[REDACTED] the amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide) involved in the conspiracy attributable to each of them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is 400 grams and more of a mixture and substance containing a detectable amount of

fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), contrary to 21 U.S.C. § 841(b)(1)(A)(vi).

In violation of 21 U.S.C. § 846.

Count 2

On or about July 24, 2024, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendants, [REDACTED]

[REDACTED] unlawfully, knowingly and intentionally distributed a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi), and 18 U.S.C. § 2.

Count 3

On or about September 9, 2024, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendants, [REDACTED]

[REDACTED] unlawfully, knowingly and intentionally distributed a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi), and 18 U.S.C. § 2.

Count 4

On or about November 9, 2024, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, [REDACTED] unlawfully, knowingly and intentionally distributed a controlled substance, and the offense involved 400 grams and more of a mixture

and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi).

Count 5

On or about November 9, 2024, in Lea County, in the District of New Mexico, and elsewhere, the defendant, [REDACTED], unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi).

Count 6

On or about November 11, 2024, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, [REDACTED] unlawfully, knowingly and intentionally distributed a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi).

Count 7

On or about November 13, 2024, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, [REDACTED] unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi).

Count 8

On or about November 13, 2024, in Bernalillo County, in the District of New Mexico, the defendant, [REDACTED], knowingly possessed a firearm in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide) as charged in Count 7 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

Count 9

On or about April 10, 2025, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendants, [REDACTED]
[REDACTED] unlawfully, knowingly and intentionally distributed a controlled substance, and the offense involved 400 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(vi), and 18 U.S.C. § 2.

Count 10

On or about July 1, 2024, through April 23, 2025, the defendant, **HERIBERTO SALAZAR AMAYA**, an alien, knowingly entered, attempted to enter, and was found in the United States, in Bernalillo County, in the District of New Mexico, and elsewhere, contrary to law in that the defendant had been previously deported, excluded, and removed and departed the United States on or about April 2, 2010, and September 8, 2012, while an Order of Exclusion, Deportation and Removal was outstanding, and the defendant had not obtained the express consent of the Secretary for Homeland Security to reapply for admission into the United States.

In violation of 8 U.S.C. §§ 1326(a) and (b).

Count 11

Beginning on a date unknown, but no later than on or about August 1, 2024, and continuing to on or about April 23, 2025, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, **HERIBERTO SALAZAR AMAYA**, hired for employment in the United States one alien, knowing that said alien was an unauthorized alien.

In violation of 18 U.S.C. §§ 1324a(a)(1)(A) and (f)(1).

Count 12

Beginning on a date unknown, but no later than on or about August 1, 2024, and continuing to on or about April 23, 2025, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, **HERIBERTO SALAZAR AMAYA**, unlawfully, knowingly, and intentionally combined, conspired, confederated, agreed, and acted interdependently with other persons whose names are known and unknown to commit an offense defined in 8 U.S.C. §§ 1324(a)(1)(A)(iii) and (a)(1)(B)(i), specifically, harboring unauthorized aliens.

In violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I).

FORFEITURE ALLEGATIONS

Counts 1, 4, 7, and 8 of this indictment are realleged and incorporated as part of this section for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853.

Upon conviction of any offense in violation of 21 U.S.C. §§ 841 or 846, the defendant,

[REDACTED] shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which the defendant is convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense(s) of conviction.

The property to be forfeited to the United States includes, but is not limited to, the following:

- a. M&P Bodyguard; Serial Number: KHY4461;
- b. Silver Glock style P80 pistol with a black suppressor; no serial number (“ghost gun”);
- c. AR-15 style Bushmaster XM15-E25; Serial Number: BFI405723;
- d. American Tactical Omni Hybrid; Serial Number: NS177268;
- e. Palmetto PA15 with suppressor; Serial Number: SCD226011; and
- f. Approximately \$71,950.00 in United States currency.

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendant,

[REDACTED] shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- a. M&P Bodyguard; Serial Number: KHY4461;
- b. Silver Glock style P80 pistol with a black suppressor; no serial number (“ghost gun”);
- c. AR-15 style Bushmaster XM15-E25; Serial Number: BFI405723;
- d. American Tactical Omni Hybrid; Serial Number: NS177268; and
- e. Palmetto PA15 with suppressor; Serial Number: SCD226011.

A TRUE BILL:

LS
FOREPERSON OF THE GRAND JURY

Assistant United States Attorney

UNITED STATES DISTRICT COURT
for the
District of Oregon

United States of America)	
v.)	Case No. 3:25-mj-115
Heriberto Salazar Amaya)	Charging District's Case No. 25-cr-879 KG
<hr style="border-top: 1px solid black; margin: 5px 0;"/>		
<i>Defendant</i>)	

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (*name of other court*) District of New Mexico

I have been informed of the charges and of my rights to:

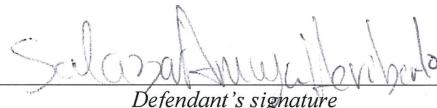
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

an identity hearing and production of the warrant.
 a preliminary hearing.
 a detention hearing.
 an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 preliminary hearing and/or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 04/28/2025



Defendant's signature



Signature of defendant's attorney

Mark Ahlemeyer

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
for the
District of Oregon

United States of America)	
v.)	
Heriberto Salazar Amaya)	Case No. 3:25-MJ-00115
)	
)	Charging District's
<i>Defendant</i>)	Case No. 1:25-CR-00879-JB

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of New Mexico ,
(if applicable) Albuquerque division. The defendant may need an interpreter for this language:

The defendant: will retain an attorney.
 is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: April 28, 2025



Stacie F. Beckerman
Judge's signature

Honorable Magistrate Judge Stacie F. Beckerman
Printed name and title

CUSTODY, Interpreter:Spanish, NRESTRAINT,
U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE #: 3:25-mj-00115-1

Case title: USA v. Amaya

Date Filed: 04/28/2025

Other court case number: 25-CR-879 KG District of New Mexico

Assigned to: Unassigned

Defendant (1)

Heriberto Salazar Amaya
also known as
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also known as
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

21:846 Conspiracy; 8:1326(a) and (b) Reentry of a Removed Alien; 8:1324a(a)(1)(A) Unlawful

Disposition

Employment of Illegal Alien; and
 8:1324a(a)(1)(A)(v)(I) Conspiracy
 to Harbor Illegal Aliens

Plaintiff

USA

represented by **Julia E. Jarrett**
 U.S. Attorney's Office
 1000 SW Third Ave, Suite 600
 Portland, OR 97204
 503-727-1156
 Fax: 503-727-1117
 Email: julia.jarrett@usdoj.gov
LEAD ATTORNEY
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Email All Attorneys

Date Filed	#	Docket Text
04/28/2025	<u>4</u>	Waiver of Rule 5 & 5.1 Hearings by Heriberto Salazar Amaya (sb) (Entered: 04/29/2025)
04/28/2025	<u>3</u>	Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another. Proceedings held before Magistrate Judge Stacie F. Beckerman as to Heriberto Salazar Amaya on 4/28/2025. ORDER appointing counsel for Heriberto Salazar Amaya: Mark Ahlemeyer for proceedings in the District of Oregon. Defendant advised of rights, waived reading of the charges, and proceeds as named. Defendant waived an identity hearing, production of the judgment, warrant, and warrant application, and a detention hearing in the District of Oregon. The Court accepts the waiver and finds it knowing and voluntary. (Formal waiver to follow.) Defendant committed to the District of New Mexico and is to be transported to that district in the custody of the U.S. Marshals Service. (Formal commitment order to follow.) Other Court Information: District of New Mexico case No. 1:25-CR-00879-JB, USA v. Heriberto Salazar Amaya. Counsel Present for the Government: Peter D. Sax. Counsel Present for Defendant: Mark Ahlemeyer. Restraint Order: NR. (Court Reporter Ryan White) (Interpreter for Defendant Present: Steven Muzik) (Spanish) (Oath on file with the court.) (gw) (Entered: 04/28/2025)
04/28/2025	<u>2</u>	(DOCUMENT FILED UNDER SEAL) Arrest Warrant Received From Other Court as to Heriberto Salazar Amaya from District of New Mexico Case No: 25-CR-879 KG (Attachments: # <u>1</u> Attachment USMS Intake Form) (sb) (Entered: 04/28/2025)
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UNITED STATES DISTRICT COURT
for the
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United States of America)	
v.)	Case No. 3:25-mj-115
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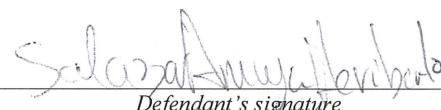
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
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I agree to waive my right(s) to:

an identity hearing and production of the warrant.
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 an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 preliminary hearing and/or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 04/28/2025



Defendant's signature



Signature of defendant's attorney

Mark Ahlemeyer

Printed name of defendant's attorney

MIME-Version:1.0
From:info@ord.uscourts.gov
To:nobody
Bcc:
--Case Participants: Mark Patrick Ahlemeyer (catalina_barboza@fd.org, mark_ahlemeyer@fd.org, orx_docketing@fd.org), Julia E. Jarrett (caseview.ecf@usdoj.gov, dawn.susuico@usdoj.gov, julia.jarrett@usdoj.gov, mari.mcdonald@usdoj.gov, melissa.stewart@usdoj.gov)
--Non Case Participants: U.S. Marshal Service (pdx.operations@usdoj.gov), U.S. Pretrial Services (cmecf@orpt.uscourts.gov)
--No Notice Sent:

Message-ID:8926318@ord.uscourts.gov
Subject:Activity in Case 3:25-mj-00115 USA v. Amaya Initial Appearance - Out of District Warrant
Content-Type: text/html

U.S. District Court

District of Oregon

Notice of Electronic Filing

The following transaction was entered on 4/28/2025 at 9:18 PM PDT and filed on 4/28/2025

Case Name: USA v. Amaya

Case Number: 3:25-mj-00115

Filer:

Document Number: 3(No document attached)

Docket Text:

Minutes of Proceedings: Initial Appearance pursuant to Rule 5(c)(3) for Arrest in Our District Offense in Another. Proceedings held before Magistrate Judge Stacie F. Beckerman as to Heriberto Salazar Amaya on 4/28/2025. **ORDER** appointing counsel for Heriberto Salazar Amaya: Mark Ahlemeyer for proceedings in the District of Oregon. Defendant advised of rights, waived reading of the charges, and proceeds as named. Defendant waived an identity hearing, production of the judgment, warrant, and warrant application, and a detention hearing in the District of Oregon. The Court accepts the waiver and finds it knowing and voluntary. (Formal waiver to follow.) Defendant committed to the District of New Mexico and is to be transported to that district in the custody of the U.S. Marshals Service. (Formal commitment order to follow.) Other Court Information: District of New Mexico case No. 1:25-CR-00879-JB, USA v. Heriberto Salazar Amaya. Counsel Present for the Government: Peter D. Sax. Counsel Present for Defendant: Mark Ahlemeyer. Restraint Order: NR. (Court Reporter Ryan White) (Interpreter for Defendant Present: Steven Muzik) (Spanish) (Oath on file with the court.) (gw)

3:25-mj-00115-1 Notice has been electronically mailed to:

Mark Patrick Ahlemeyer mark_ahlemeyer@fd.org, catalina_barboza@fd.org, orx_docketing@fd.org

Julia E. Jarrett julia.jarrett@usdoj.gov, CaseView.ECF@usdoj.gov, dawn.susuico@usdoj.gov, mari.mcdonald@usdoj.gov, melissa.stewart@usdoj.gov

3:25-mj-00115-1 Notice will not be electronically mailed to: